

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application/Power of Attorney

As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

NUCLEIC ACID AND AMINO ACID SEQUENCES RELATING TO *STAPHYLOCOCCUS EPIDERMIDIS* FOR DIAGNOSTICS AND THERAPEUTICS

the specification of which (check one)

☐ is attached hereto.

☒ was filed on November 29, 1999 as United States Application

Number 09/450,969

and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			Priority Not Claimed	Certified Copy Filed?	
				YES	NO
(Number)	(Country)	(Day/Month/Year filed)	[]	[]	[]
_____	_____	_____	[]	[]	[]
(Number)	(Country)	(Day/Month/Year filed)	[]	[]	[]
_____	_____	_____	[]	[]	[]
(Number)	(Country)	(Day/Month/Year filed)	[]	[]	[]

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

<u>60/055,779</u>	<u>August 14, 1997</u>
(Application Number)	(Filing Date)
<u>60/064,964</u>	<u>November 8, 1997</u>
(Application Number)	(Filing Date)
_____	_____
(Application Number)	(Filing Date)

<u>09/134.001</u> (Application Serial No.)	<u>August 13, 1998</u> (Filing date)	<u>Pending</u> (Status: patented, pending, abandoned)
<u> </u> (Application Serial No.)	<u> </u> (Filing date)	<u> </u> (Status: patented, pending, abandoned)

Inventor's Signature *Sign South St* Date 5/5/00
Residence 14 Flanagan Drive, Framingham, MA 01701
Citizenship Canada
Post Office Address same as above

COPY

Full name of second joint

inventor, if any David Bush

Inventor's Signature _____ Date _____

Residence 205 Holland Street, Somerville, MA 02144

Citizenship United States of America

Post Office Address same as above

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application/Power of Attorney

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I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

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Prior Foreign Application(s)

			Priority Not Claimed	Certified Copy Filed?	
				YES	NO
			[]	[]	[]
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)			
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	[]	[]	[]
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	[]	[]	[]

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

<u>60/055,779</u> (Application Number)	<u>August 14, 1997</u> (Filing Date)
<u>60/064,964</u> (Application Number)	<u>November 8, 1997</u> (Filing Date)
_____ (Application Number)	_____ (Filing Date)

COPY

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>09/134,001</u>	<u>August 13, 1998</u>	<u>Pending</u>
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)

As a named inventor, I hereby appoint the following attorneys and/or agents:

Nina L. Pearlmutter	Reg. No. 35,639
Robert L. Spadafora, Jr.	Reg. No. 46,197

the mailing address and telephone number of whom is GENOME THERAPEUTICS CORPORATION, 100 Beaver Street, Waltham, MA 02453 and (781) 398-2508, with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please send correspondence to: ☐ Customer No. Noted Above
or
☒ Address below:

Nina L. Pearlmutter, Ph.D., Esq.
Genome Therapeutics Corporation
Waltham, Massachusetts 02453

Direct telephone calls to: Nina L. Pearlmutter Telephone No.: 781-398-2508
Direct facsimiles to: Nina L. Pearlmutter Facsimile No.: 781-398-2607

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole
or first inventor Lynn Doucette-Stamm

Inventor's Signature _____ Date _____
Residence 14 Flanagan Drive, Framingham, MA 01701
Citizenship Canada
Post Office Address same as above

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-3-

Full name of second joint

inventor, if any David Bush

Inventor's Signature



Date 4/19/2000

Residence 205 Holland Street, Somerville, MA 02144

Citizenship United States of America

Post Office Address same as above

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lynn Doucette-Stamm and David Bush

Divisional of Application No.: 09/450,969

Filed: November 29, 1999

Title: Nucleic Acid and Amino Acid Sequences Relating to *Staphylococcus epidermidis* For Diagnostics and Therapeutics

Date: December 1, 2003

EXPRESS MAIL LABEL NO. EL 442001728 US

REVOCATION OF POWERS OF ATTORNEY AND APPOINTMENT OF
NEW ATTORNEYS AND/OR AGENTS

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Sir:

Genome Therapeutics Corporation, a Corporation duly organized under the laws of the Commonwealth of Massachusetts, is the assignee of the entire right, title and interest in the above-identified application. Genome Therapeutics Corporation hereby appoints the attorneys and/or agents associated with

Genome Therapeutics Corporation

100 Beaver Street

Waltham, Massachusetts 02453

Robert L. Spadafora, Jr., Registration No.: 46,197

to prosecute the above-identified application and any divisions or continuations thereof and to conduct all business in the United States Patent and Trademark Office. All previously granted Powers of Attorney are hereby revoked.

Statement under 37 C.F.R. §3.73(b) is submitted herewith.

All correspondence should be sent to Robert L. Spadafora, Genome Therapeutics Corporation, 100 Beaver Street, Waltham, Massachusetts 02453. Please direct all telephone calls to Robert L. Spadafora at 781-398-2300 and all facsimile communication to 781-3980-2530.

Respectfully submitted,

GENOME THERAPEUTICS CORPORATION

By 

Stephen Cohen

Sr. Vice President & CFO

Telephone (781) 398-2300

Facsimile (781) 398-2530

Waltham, Massachusetts 02453

Dated: 12/1/03

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Genome Therapeutics Corp.
Application No./Patent No.: Divisional of U.S. Application No.: 09/450,969
Entitled: NUCLEIC ACID AND AMINO ACID SEQUENCES RELATING TO
STAPHYLOCOCCUS EPIDERMIDIS FOR DIAGNOSTICS AND THERAPEUTICS

Genome Therapeutics Corp. Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- ☒ the assignee of the entire right, title, and interest; or
☐ an assignee of less than the entire right, title and interest
The extent (by, percentage) of its ownership is _____%

in the patent application/patent identified above by virtue of either:

A ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 010827, Frames 0568-0572, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

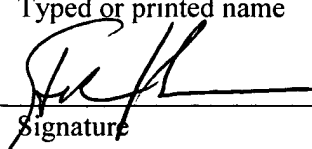
1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel ____ Frame ____ or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel ____, Frame ____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel ____, Frame ____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (*i.e.*, the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

12/1/02
Date

Stephen Cohen
Typed or printed name

Signature
Sr. Vice President & CFO
Title